S.B.Cr.Misc. Bail Appl. No.5547/2007

(Sanju alias Sanjay Khan vs. State of Rajasthan)

Date of order : November 27, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Sandeep Mehta, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.
Mr.Mridul Jain, for the first informant.

Heard learned counsel for the petitioner, Public Prosecutor for the State and the counsel for the first informant. Perused the order impugned and the challan papers. I have carefully gone through the statements of the prosecutrix as well as the eye-witness Rafique Bhati.

Keeping in view the serious allegation of rape and there is an eye-witness, in my view, it is not a fit case to release the petitioner on bail at this stage.

The bail application filed by the petitioner under section 439 Cr.P.C. is, therefore, dismissed. However, it will be open for the petitioner to move a fresh bail application after the statement of the prosecutrix is recorded.

(H.R.PANWAR),J.

m.asif/-